

MINUTES
YORK COUNTY PLANNING COMMISSION

Regular Meeting
York Hall, 301 Main Street
January 11, 2006

MEMBERS

Christopher A. Abel
Nicholas F. Barba
Anne C. H. Conner
John R. Davis
Alexander T. Hamilton
Alfred E. Ptasznik, Jr.
John W. Staton

CALL TO ORDER

Chair Alfred Ptasznik called the meeting to order at 7:00 PM.

ROLL CALL

The roll was called and all members were present. Staff members present were J. Mark Carter, James E. Barnett, Jr., Timothy C. Cross, and Earl Anderson.

REMARKS

Chair Ptasznik stated that the Code of Virginia requires local governments to have a Planning Commission, the purpose of which is to advise the Board of Supervisors on land use and planning issues affecting the County. The responsibility is exercised through recommendations conveyed by resolutions or other official means and all are matters of public record. He indicated that the Commission is comprised of citizen volunteers, appointed by the Board, representing each voting district and two at-large members.

APPROVAL OF MINUTES

Mr. Hamilton moved to adopt the minutes of the regular meeting of December 14, 2005 and they were adopted unanimously.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARING

Application No. UP-693-06, Dominion Virginia Power: Request for a major amendment to a legally conforming Special Use through the expansion by more than 25% of an existing electric substation on a 3.08-acre parcel of land located at 441 Waller Mill Road (Route 713) approximately 1,520 feet north of the

intersection of Waller Mill Road and Plantation Drive (Route 789) and further identified as Assessor's Parcel No. 6-18. The property is zoned R20 (Medium-density single family residential) and is designated Medium Density Residential in the Comprehensive Plan.

Timothy C. Cross, AICP, summarized the staff report to the Commission dated December 2, 2005, in which the staff recommended approval.

Mr. Barba wanted to know when the expansion would start, assuming approval. **Mr. Cross** said the applicant's representative could best address that question during the public hearing.

Mr. Davis asked why the property is zoned R20, given the careful examination of land uses during the Comprehensive Plan review process and efforts to bring zoning into conformance with present or proposed uses of the land. **Mr. Cross** noted that the review of the Zoning Map has yet to begin, and he said the zoning classification of R20 conforms with the surrounding area. Before rezoning the subject property to something other than residential, several factors should be considered that include making it vulnerable to uses incompatible with a residential area if Dominion Virginia Power were to abandon the substation. He did not recall any discussion about rezoning the property.

Mr. Davis wanted to know why the applicant proposed to install a prefabricated metal equipment storage building and if it would be sturdy enough.

Mr. Hamilton inquired about possible increased noise levels for nearby residents.

Mr. Cross suggested the applicant address those concerns.

Mr. Ptasznik inquired about possible future development on the adjacent property zoned Resource Conservation. **Mr. Cross** indicated that, other than the pending expansion of the Heritage Humane Society animal shelter, the County anticipates no development on the undeveloped watershed property to the west, owned by the City of Williamsburg. He added the requisite letters were mailed to Newport News Waterworks and all other adjacent property owners advising them of the application and public hearing, and the staff received no responses.

Chair Ptasznik opened the public hearing.

Ms. Gail Lamm, Dominion Virginia Power, residing in Richmond, VA, spoke in favor of approval. She explained the proposed expansion would result in a reduction by half in the number of customers who lose power during one of the single line failures. Ms. Lamm reported she had met with the neighboring resident, who appreciated the prospect of additional landscaping and had no concerns about the proposal. Ms. Lamm said she met with the wildlife and property managers for Colonial Williamsburg Foundation, who expressed no concerns about the proposed expansion.

Ms. Lamm addressed the members' earlier questions. She said work on the installation would begin as soon as all County requirements are met and expected installation to be complete by the end of 2006. As for the type of the building proposed to enclose the equipment, Ms. Lamm said it

meets specific wind-loading requirements, is very effective for housing electrical controls and is the same type of building that the power company has used successfully for that purpose for many years. As for noise, she was not aware of noise generated by line breakers; transformers generate the typical humming sounds and the proposed expansion would not involve additional transformers.

Chair Ptasznik closed the public hearing.

Mr. Abel announced that, while he has no individual involvement with legal matters pertaining to the applicant, the law firm by which he is employed has professional connections with Dominion Virginia Power. He therefore elected to abstain and filed a Disclosure and Disqualification Form with the Secretary.

Mr. Barba moved to adopt proposed Resolution No. PC06-1.

Resolution No. PC06-1

On motion of Mr. Barba, which carried 6:0:0 (Mr. Abel abstaining), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO
AUTHORIZE A MAJOR EXPANSION OF A CONFORMING ELECTRIC
SUBSTATION LOCATED AT 441 WALLER MILL ROAD

WHEREAS, Dominion Virginia Power owns and operates an electric substation on a 3.08-acre parcel located at 441 Waller Mill Road and further identified as Assessor's Parcel No. 6-18 (GPIN# D-16d-4872-1229); and

WHEREAS, the referenced substation constitutes a conforming Special Use pursuant to Section 24.1-115(c)(4) of the York County Zoning Ordinance; and

WHEREAS, Dominion Virginia Power has submitted Application No. UP-693-06, pursuant to Section 24.1-115(d)(3) of the York County Zoning Ordinance, to request authorization to expand the referenced substation by approximately 67%, which constitutes a major amendment that must be approved in the same manner and under the same procedures as are applicable to issuance of an original Special Use Permit; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of January, 2006 that Application No. UP-693-06 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize the expansion of a legally conforming electric substation on a 3.08-acre parcel located at 441 Waller Mill Road and further identified as Assessor's Parcel No. 6-18 (GPIN# D-16d-4872-1229) subject to the following conditions:

1. This approval shall authorize the expansion of an existing conforming electric substation located at 441 Waller Mill Road and further identified as Assessor's Parcel No. 6-18 (GPIN# D-16d-4872-1229).
2. A site plan prepared in accordance with the provisions of Article V of the Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any construction or land disturbing activity in connection with the expansion. Said site plan shall be in substantial conformance with the concept plan submitted by the applicant and received by the York County Planning Division November 30, 2005, as supplemented by the applicant's project narrative, titled "Narrative, Waller Substation Expansion," and the scope of work titled "Scope of Work, Project No. 94-1954," copies of which shall remain on file in the office of the Planning Division.
3. In accordance with the referenced concept plan, trees and/or shrubs shall be planted around the perimeter of the substation to buffer views from surrounding properties and Waller Mill Road.
4. The expansion shall be in conformance with the performance standards set forth in Section 24.1-493, *Standards for all utilities uses*, of the Zoning Ordinance.
5. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

NEW BUSINESS

There was no new business.

OLD BUSINESS

There was no old business.

STAFF REPORTS

Mr. Mark Carter noted the staff had distributed to each Commissioner an updated copy of the Zoning Ordinance, excluding the most recent revisions adopted in December but not yet available

for the printed version of the County Code. It will be distributed to the members as soon as it is available, he added.

Mr. Carter reported on recent actions by the Board of Supervisors as noted on the Development Activity Report of January 11, 2006. He added that the Premier Properties application for a use permit (UP-686-05) was approved by the Board, and the Board deferred action on the senior housing standards of the proposed Zoning Ordinance amendments (ZT-99-05) pending staff provision of further information, as requested by the Board.

Mr. Carter said no applications were received for the Commission's consideration in February, and the staff therefore recommended canceling the February regular meeting.

COMMITTEE REPORTS

Mr. Ptasznik announced that he and Mr. Abel were invited to sit on the Economic Development Authority's Mixed Use Development Committee. He asked Mr. Abel to report.

Mr. Abel said the organizational meeting was held earlier this evening during which a tentative meeting schedule was set. He believes the committee will be successful in encouraging and employing mixed use development in the County.

COMMISSION REPORTS AND REQUESTS

Mr. Ptasznik noted the Board had invited all members of the Comprehensive Plan Review Steering Committee to attend its January 17th meeting to be publicly recognized for their contributions.

ADJOURN

The meeting was adjourned at 7:30 p.m.

SUBMITTED:

Phyllis P. Liscum, Secretary

APPROVED:

Alfred E. Ptasznik, Jr., Chair

DATE: _____